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6 County of Madera, Angela Basch,
Mark Meyers and Gary Gilbert
7

8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10 FRESNO DIVISION

11 ERNEST MERRILL, LILA MERRILL,
12 Plaintiffs,

13 v.
14 COUNTY OF MADERA, ANGELA BASCH
Individually and as an Employee of Madera
County, MARK MEYERS Individually and as
an Employee of Madera County, GARY
GILBERT Individually and as an agent for
Madera County, and DOE DEFENDANTS 1
TO 10,

15 Defendants.

16 COUNTY OF MADERA,

17 Counter-Claimant,

18 v.

19 ERNEST MERRILL, LILA MERRILL,
DREAM CATCHER RANCH, INC., a Nevada
Corporation, LITTLE BUTTE CATTLE
COMPANY, INC., a Nevada Corporation,
DUANE JONES, PIA BURROUGH-POND,
JOHN M. BURROUGH, GENE MEDFORD,
ROSE MEDFORD, KRISTIN McFALL,
HOFFMAN RANCH, LLC., a California
limited liability Company, and DOES 1-10,

20 Counter-Defendants.

Case No. 1:05-cv-00195 AWI SMS
Honorable Anthony W. Ishii

21 STIPULATION TO MODIFY
SCHEDULING CONFERENCE ORDER
TO EXTEND DISCOVERY CUTOFF
AND MOTION DEADLINES;

22 **ORDER**

1 STIPULATION AND [PROPOSED] ORDER
2

3 Plaintiffs, Ernest and Lila Merrill; Defendants County of Madera, Mark Meyers, Gary
4 Gilbert, and Angela Basch; and Counter Defendants Duane Jones, Pia Burrough-Pond, John M.
5 Burrough, Gene Medford, Rose Medford, and Kristin McFall (collectively, "parties"), stipulate as
6 follows:

7

8 WHEREAS, the Court entered a Scheduling Conference Order on July 6, 2006 that
9 established (1) a non-expert discovery cutoff of October 30, 2006; (2) a deadline for non-
10 dispositive motions of November 15, 2006; and (3) a deadline for dispositive motions of
11 November 17, 2006;

12 WHEREAS the parties have worked cooperatively in exchanging written discovery and
13 scheduling and conducting several depositions prior to filing this stipulation;

14 WHEREAS depositions are currently scheduled on the days remaining prior to the
15 discovery cutoff on which counsel are available;

16 WHEREAS the parties intend to take at least three depositions of witnesses whose
17 availability has not yet been confirmed and who would not likely be able to appear prior to the
18 discovery cutoff;

19 WHEREAS to allow the parties to complete the depositions of these and any additional
20 desired witnesses, the parties seek a brief, approximately three-week continuance of the discovery
21 cutoff;

22 WHEREAS if such an extension were permitted, the parties would also seek an
23 approximately two-week extension of the deadlines for filing dispositive and non-dispositive
24 motions; and

25 WHEREAS the parties do not seek, nor believe it is necessary, to continue the trial date
26 (set for April 3, 2007) or any of the other deadlines set forth in the Scheduling Conference Order.

LAW OFFICES OF
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SACRAMENTO, CALIFORNIA 95814

1 In light of the foregoing, the parties stipulate as follows:

2 1. The discovery cut-off in this action is continued from October 30, 2006 to
3 November 22, 2006;

4 2. The deadline for filing non-dispositive motions is continued from November 15,
5 2006 to November 29, 2006;

6 3. The deadline for filing dispositive motions is continued from November 17, 2006
7 to December 1, 2006;

8 4. All other deadlines and dates set forth in the Scheduling Conference Order,
9 including the April 3, 2007 trial date, shall remain the same.

10
11 Dated: October 19, 2006

LAW OFFICES OF LAYNE HAYDEN

12
13 By: /S/ Scott Lyons

14 Layne Hayden
15 Scott Lyons
16 Attorneys for Plaintiffs and Cross-
17 Defendants
18 Ernest and Lila Merrill, Dream Catcher
19 Ranch, Inc., and Little Butte Cattle
20 Company, Inc.

21
22 Dated: October 20, 2006

BEST BEST & KRIEGER LLP

23
24 By: /S/ Derek Cole

25 Dennis M. Cota
26 Derek P. Cole
27 Lindsay N. Stevens
28 Attorneys for Defendants and Cross
Claimant, County of Madera, Gary Gilbert,
and Angela Basch

Dated: October 20, 2006

NUTTING & JORGENSEN LLP

By: /S/ Kenneth Jorgenson

Kenneth Jorgenson
Attorneys for Counter Defendants Duane
Jones, Pia Burrough-Pond, and John
Burrough

Dated: October 19, 2006

LAW OFFICE OF RICHARD ARCHBOLD

By: /S/ Richard Archbold

Richard Archbold
Attorneys for Counter Defendants Gene
Medford, Rose Medford, and Kristin
McFall,

ORDER

IT IS SO ORDERED.

Dated: 10/23/2006

/s/ Sandra M. Snyder

United States Magistrate Judge

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